

CODE REVIEWS TO BEGIN

2006 MICHIGAN BUILDING, RESIDENTIAL, PLUMBING, AND MECHANICAL CODES AND REHABILITATION CODE FOR EXISTING BUILDINGS

The Bureau of Construction Codes and Fire Safety is accepting public comments and proposed code changes for the Code Advisory Committee review phase of the 2006 Michigan Building, Residential, Plumbing, and Mechanical Codes and Rehabilitation Code for Existing Buildings.

Review of the codes will begin in February.

The following information **must** be included within your submitted proposal.

REQUIRED INFORMATION:

1. Please separate proposals by code type and by section within that code set.
2. Indicate at the top of your document for which code set you are submitting.
3. Indicate the section, table or figure your proposal affects.
4. Provide the name of the local government, organization, or individual proposing the code change.
5. Provide the name, address, telephone number, fax number and email address of the contact person to supply information, as needed, on the proposed changes.
6. The specific section for which an amendment is proposed should be listed. The **entire section** should be reproduced, including the proposed amendatory language.
7. All added words should be **in bold type**.
8. All deleted words should be struck through. (example)
9. If more than one page is necessary, include your name, the code set and section number on each additional page.
10. Thoroughly explain the need and reason for the proposed change including any anticipated benefits, and economic cost or savings realized by the proposed change, as well as any other information appropriate to assist the Bureau and committee in a clear understanding of the issue. During the rulemaking process, the Bureau must defend the need and reasonableness of all proposed rule changes; therefore, a detailed explanation is necessary to ensure the committee thoroughly considers all aspects of the proposal.
11. Mail, fax or email the completed information to:
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes & Fire Safety
P.O. Box 30254
Lansing, MI 48909
Attn: Dianne Barmes
Fax #: 517/241-9570
dbarme@michigan.gov

SEE ATTACHED

S A M P L E F O R M A T

Michigan Township
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January 13, 2006

Ref: **PROPOSED CODE CHANGE FOR 2006 RESIDENTIAL CODE**

Revision to: **Section: 102.7.1**

Revise 102.7.1 as follows:

1. R102.7.1 Additions, alterations or repairs. Additions, alterations or repairs to any structure shall conform to that required for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. **Unless otherwise required by this code, an alteration or repair shall not be used as justification for requiring any other existing part of the structure not being altered or repaired to be brought into compliance with this code.** Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. ~~Install new window and window well, or an exterior door with stairs for emergency escape and rescue, even if no bedroom is being added.~~

SUPPORTING STATEMENT:

The proposed modification is intended to limit the ripple effect that often results when certain alterations are undertaken – that being a claim by the AHJ that portions of the home not within the scope of work and not being altered must nonetheless be made to comply with the new code. Though the intent of this change is to limit to application of the code only to portions being altered, requirements for smoke detectors for instance would still be triggered.

This is one is a series of code changes intended to provide flexibility in applying the residential code to existing homes while maintaining the appropriate level of health and safety. The proposed text is borrowed and adapted from the current VA Uniform Statewide Building Code (USBC). It is included to provide the code official with a tool to help guide the extent to which to IRC, written with new construction in mind, should apply to existing homes being altered. In many States where the IRC has been adopted, the affect of applying the code in a simple basement remodel has had enormous negative impacts. Simply put, the ripple affect of applying the IRC to existing homes in some cases has resulted in additional work and costs that are disproportionate to the intended scope of work. The unintended consequence here in MD, NY, IN, KY, and other States that have adopted the IRC is that homeowners are being forced to choose to do work without permits because the code provides the code official with little flexibility in applying the code. In these and other state, where simple basement remodels have been undertaken, the requirements for stair risers, treads, handrails, landings, head room, illumination, as well as the requirements for minimum ceiling heights and emergency escape and rescue windows or doors have each been imposed by many jurisdictions even where the stairs were not associated with the scope of work. The result has been an increase in the cost of the intended remodel. The affect of requiring an escape window in habitable spaces in basements can easily approach \$10,000 in some markets when one considers the cost to excavate, create an opening in the foundation wall, head it off, frame and install a new window and window well, install window well drainage to foundations drains, damp or waterproof the foundation, and re-landscape. Absent clear guidance in the code, some localities, being reasonable, have used discretion when applying the IRC to existing homes. However, other localities applying the code literally, have found that more reasonable code requirements were needed to provide the code official with reasonable and cost effective options so that homeowners who want to increase usability of their existing home can do so without breaking the budget, and without doing work without a permit.